

1 in the light of your answer to the question asked by
2 Delegate Fox.

3 You indicated that if Section 303(b) were deleted,
4 Section 303(c) could stand alone, although somewhat
5 shakily.

6 If that should happen, what would determine,
7 under 303(c), the year in which congressional redistricting
8 is to be effective? I am reading from lines 8 and 9.

9 DELEGATE GALLAGHER: I think, Mr. Chairman,
10 that that would depend upon the will of the legislature
11 as expressed in a resolution or some other indication
12 that they plan to take redistricting up. Perhaps it
13 might also be a court order to redistrict.

14 THE CHAIRMAN: It would not be contemplated
15 in that event that the Commission could be a self-
16 starter, so to speak?

17 DELEGATE GALLAGHER: No, sir. In order to make
18 it a self-starter, we would have to provide additional
19 language in 303(c). It is interesting to note that
20 prior to Westbury v. Sanders, some states had not
21 redistricted for as long as 40 years. Consequently,
I think we would need more than the language in 303(c)